



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, MONDAY, MARCH 11, 2024

(PHALGUNA 21, 1945 SAKA)

LEGISLATIVE SUPPLEMENT

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PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF EXCISE AND TAXATION
(EXCISE AND TAXATION II-BRANCH)

NOTIFICATION

The 10th March, 2024

No. G.S.R. 12/P.A.8/2005/S. 29-A/C.A. 74/1956/S.9/P.A.8/2002/S.25/ P.A.5/2017/S.174/ Amd(1)/ 2024. -Whereas, the State Government on being satisfied that it is necessary so to do in public interest and in order to ensure compliance and transparency, notified the Punjab One Time Settlement Scheme for Recovery of Outstanding Dues, 2023, for settlement of unpaid tax liabilities, vide Government of Punjab, Department of Excise and Taxation, Notification No. G.S.R.85/P.A.8/2005/S.29-A/C.A.74/1956/S.9/P.A.8/2002/S.25/P.A.5/ 2017/S.174/2023, dated the 09th November, 2023;

AND whereas, the State Government is satisfied that it is necessary to amend the aforesaid Scheme in public interest.

Now, therefore, in exercise of the powers conferred by section 29-A of the Punjab Value Added Tax Act, 2005 (Punjab Act 8 of 2005), sub-section (2) of section 9 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956) and sub-section (3) of section 25 of the Punjab Infrastructure (Development and Regulation) Act, 2002 (Punjab Act 8 of 2002), read with section 174 of the Punjab Goods and Services Tax Act, 2017 (Punjab Act 5 of 2017), all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following Scheme further to amend the Punjab One Time Settlement Scheme for Recovery of Outstanding Dues, 2023, namely :-

SCHEME

1. Short title and commencement. – (1) This Scheme may be called the Punjab One Time Settlement (Amendment) Scheme for Recovery of Outstanding Dues, 2024.
(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.
2. In the Punjab One Time Settlement Scheme for Recovery of Outstanding Dues, 2023 (hereinafter referred to as the said Scheme), in clause 1, for sub-clause (4), the following shall be substituted, namely: -
“(4)(i) It shall only be applicable to the cases under the relevant Acts where the assessment has been made till 31st March, 2024 and where the Total Demand in case of any of the relevant Acts, other than the Central Sales Tax Act, 1956, is not more than rupees One Crore; and in case of the Central Sales Tax Act, 1956, where the Net Demand is not more than rupees One Crore.
(ii) No application for settlement of outstanding dues under this Scheme for cases mentioned at (i) above shall be entertained after 30th June, 2024.”.

3. In the said Scheme, in clause 2, in sub-clause (1), -
 - (i) after item (b), the following item shall be inserted, namely: -

“(ba) “Net Demand” means the total demand after reduction of additional demand on account of submission of Statutory declaration forms as applicable in the Central Sales Tax Act, 1956;” and
 - (ii) for item (e), the following item shall be substituted, namely: -

“(e) “Total Demand” means an additional demand due as per the assessment order passed till 31st March, 2024 for a particular assessment year under a relevant Act.

Explanation: For the purpose of this Scheme, an assessment order shall include a rectified order, revised order or assessment after remand order passed till 31st March, 2024.”.
4. In the said Scheme, in clause 3,-
 - (i) in sub-clause (1) for the word, figures and sign “31st March, 2023” the word, figures and sign “31st March, 2024” shall be substituted; and
 - (ii) in sub-clause (2), after the words and figure “FORM OTS-1”, the words “along with additional original statutory forms” shall be inserted.
5. In the said Scheme, in clause 4, -
 - (i) for sub-clause (1), the following shall be substituted, namely: -

“(1) This Scheme shall only be applicable to the cases under the relevant Acts where the assessment has been made till 31st March, 2024 and where the Total Demand in case of any of the relevant Acts, other than the Central Sales Tax Act, 1956, is not more than rupees One Crore; and in case of the Central Sales Tax Act, 1956, where the Net Demand is not more than rupees One Crore.”; and
 - (ii) after sub-clause (11), the following sub-clause shall be added, namely: -

“(12) No additional Statutory declaration forms shall be entertained after the submission of the application in Form OTS-1.”

6. In the said Scheme, for form-OTS-1, the following Form shall be substituted, namely: -

“FORM OTS-1

[See clause 3(2)]

**APPLICATION FORM FOR SETTLEMENT OF OUTSTANDING DUES
UNDER THE PUNJAB ONE TIME SETTLEMENT SCHEME FOR
RECOVERY OF OUTSTANDING DUES, 2023.**

To

The State Tax Officer/ Excise and Taxation Officer,

District _____

Madam/ Sir,

I, _____ son/ husband/ daughter/ wife of
_____ resident of _____ Proprietor/
Partner/ Managing Director/ Karta/ Chairman or any other duly authorized
person of M/s _____ holding TIN _____

hereby submit as follows: -

PART-A

It is applicable to the Acts namely;

- i. the Punjab General Sales Tax Act 1948;
- ii. the Punjab Infrastructure (Development and Regulation) Act 2002; and
- iii. the Punjab Value Added Tax Act, 2005;

Name of the Act under which application submitted: _____

***(Note: Please submit separate OTS-1 (Part-A) for separate Act, if applying
under multiple relevant Acts)***

Assessment year for which application submitted: _____

(Note: Attach original assessment order against which OTS availed)

Status of appeal, if any:

Appellate Authority/ Court	Date of filing of appeal	Whether prior payment deposited	If deposited, amount	Date of deposit (Attach proof of payment)	Last date of hearing	Remarks

The self- assessment of determined tax:

Description	Tax	Interest	Penalty	Total
A) Total Demand as per Assessment order				
B) Less amount of waiver as per the specified slab				
C) Determined Amount (A-B)				
D) Less amount of prior deposit				
E) Amount Payable (C-D)				

Payment Details: -

Treasury receipt number	
Treasury receipt date	
Amount Deposited	

Attach copy of the treasury receipt as proof of payment

PART-B

It is applicable to the Act namely;

- the Central Sales Tax Act 1956

Assessment year for which application submitted: _____

(Note: Attach original assessment order against which OTS availed)

Status of appeal, if any:

Appellate Authority/ Court	Date of filing of appeal	Whether prior payment deposited	If deposited, amount	Date of deposit (Attach proof of payment)	Last date of hearing	Remarks

Detail of original statutory forms submitted with this form:

Table (1)

Sr No	Type of Statutory Form	Number of Forms	Value of Form (In Rs)
1	C		
2	F		
3	H		
4	E1 /E2		
5	I		
6	J		
Gross Total			

The detail of the above-mentioned statutory forms has been uploaded on the facility provided on the Department's Website: <https://taxation.punjab.gov.in/>

The self- assessment of determined tax:

Table (2)

Description	Tax	Interest	Penalty	Total
A) Total Demand as per Assessment Order				
B) Less additional demand reduced on account of submission of Statutory declaration forms as detailed above in Table 1.				
C) Net Demand (A-B)				
D) Less amount of waiver as per the specified slab				
E) Determined Amount (C-D)				
F) Less amount of prior deposit				
G) Amount Payable (E-F)				

Payment Details: -

Treasury receipt number	
Treasury receipt date	
Amount Deposited	

Attach copy of the treasury receipt as proof of payment

Declaration:

I hereby undertake to withdraw appeal filed by me under the relevant Acts, if any, within a period of fifteen working days from the date of communication of order of settlement and shall submit the proof thereof to the State Tax Officer/ Excise and Taxation Officer.

I hereby undertake that I shall not file any appeal against the settlement order before any of the Appellate Authorities I.e. Deputy Excise and Taxation Commissioner (Appeals) or Punjab VAT Tribunal or Hon'ble Punjab and Haryana High Court or Hon'ble Supreme Court.

I hereby declare that the above-mentioned information submitted by me is true and correct and self-assessment of determined amount has been correctly made as per provisions of the relevant Acts.

I shall be liable to pay tax along with interest and penalty, as applicable, under the relevant Acts in case any discrepancies are detected at any stage.

I have not been pressurized by any official/person to opt this scheme. I am opting this scheme with my sweet will, without any undue influence.

Dated _____

Signature

Name _____

M/s _____

TIN _____”.

7. In the said Scheme, for the existing Schedule, the following Schedule shall be substituted, namely: -

“SCHEDULE

[See clauses 2(1)(b)]

Serial No.	Slab of Total demand/Net demand in case of CST Act, 1956 (in Rs.)	Waiver of Tax	Waiver of Penalty	Waiver of Interest
1.	Upto 1,00,000	100%	100%	100%
2.	1,00,001-1,00,00,000	50%	100%	100%

Note: The waiver shall be separately calculated for each for the relevant Act(s).”.

VIKAS PRATAP,
Additional Chief Secretary- cum-
Financial Commissioner (Taxation)
to Government of Punjab,
Department of Excise and Taxation.